

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

ROBERT WALL, #13965-052

PETITIONER

VERSUS

CIVIL ACTION NO. 5:08cv338-DCB-MTP

BRUCE PEARSON

RESPONDENT

ORDER

BEFORE THE COURT is the application of Robert Wall, #13965-052 for Writ of Habeas Corpus pursuant to Title 28, United States Code, Section 2241. The petitioner filed the instant petition for habeas relief on December 22, 2008. He states in his petition on page 4 that he requested a “BP 8, 9, 10 and 11 so he could exhaust” his administrative remedies concerning the Bureau of Prison (BOP) refusing to consider petitioner’s transfer or consideration for a transfer to a halfway house under the Second Chance Act. However, the counselor refused. Therefore, the petitioner asserts that he has exhausted his administrative remedies. Because of the lapse of time from the filing of the instant petition, this court has determined that it would be in the best interest of justice to have the petitioner state if he has made further attempts to exhaust his administrative remedies concerning a transfer to a halfway house or consideration for a transfer to a halfway house pursuant to the Second Chance Act. Additionally, this court finds that the petitioner needs to state his projected release date. Therefore, it is

ORDERED that **on or before August 4, 2009**, the petitioner shall file a written response to

(a) state if he has made additional attempts to present his claims concerning the denial of the BOP transferring or considering transferring petitioner to a halfway house under the Second Chance Act through the BOP administrative remedies program as set forth in 28 C.F.R. § 542 (1996);

(b) if the answer to “(a)” is “yes”, state the steps taken by the petitioner to file for administrative remedies and state the response(s) by the BOP, including a copy (if available) of any requests made by the petitioner and responses made by the BOP;

(c) if the answer to “(a)” is “no”, state the reason(s) the petitioner did not make further attempts to exhaust his administrative remedies since the filing of the instant civil action on December 22, 2008; and

(d) state the petitioner’s projected release date.

IT IS FURTHER ORDERED that the petitioner is required to file his written response to this order with the Clerk, Western Division, P.O. Box 23552, Jackson, Mississippi 39225-3552.

The petitioner is warned that failure to comply with this order will be interpreted by the court as a failure to prosecute and will result in this cause being summarily dismissed without further notice to the petitioner.

SO ORDERED AND ADJUDGED, this the 20th day of July, 2009.

s/ Michael T. Parker
UNITED STATES MAGISTRATE JUDGE